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siderable matter relating to agreements, pools, and trusts as originally organized by the Standard Oil interests. While this feature may be justified from the standpoint of economic development, it can hardly be defended from the standpoint of corporation law, and, since the book is in other parts so predominantly legal in its atmosphere, the inclusion of sections upon non-corporate forms of organization mars the general symmetry of the work. There are also certain minor defects arising out of the fact that the book is chiefly based upon judicial decisions, such as the statement (p. 157) that the capital stock is the amount which the corporation obtains and is authorized to obtain by way of subscription. That this is the legal view is of course obvious, as illustrated by the paragraph in the Illinois Corporation Act of 1872, which provides that the directors shall be liable for dividends paid out of the capital stock. In general, however, the book, like all of Professor Wilgus' contributions, is written in an interesting manner, arranged according to a logical plan, and will be found generally useful to those who wish a brief treatise on the legal aspect of private corporations.

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Monopoly and Competition. By HERMANN LEVY. (London: The Macmillan Company. 1911. Pp. xviii, 333. \$3.25.)

This book, which is a translation from the German original entitled *Monopole, Kartelle und Trusts* (Jena, 1909), is a noteworthy study of monopolistic combinations. As the writer states in his preface to the English translation, he "attempts to explain the existing organization of English industry by a study of the history of monopoly and competition, and at the same time to give an analysis of English cartels and trusts as they now are."

The book is divided into three parts, the first of which deals with "monopoly in the days of early industrial capitalism." This part gives some account of the early monopolies established by patents from the Crown. The claim sometimes made in their behalf that they promoted industry is said to have little foundation, although they developed capitalistic methods of industry at an earlier date than would otherwise have occurred.

The second part of the book deals with "free trade and the earliest monopolistic combinations," *i. e.*, those which arose subse-

quent to the development of the doctrine of free trade. Professor Levy points out that the classical political economists were impressed with a belief in the necessary character of the competitive system, although remarkable contemporary illustrations of monopolistic organization existed. The most important of these was the "Limitation of Vends" for Newcastle coal, which was investigated and reported on by several parliamentary committees. Its relation to earlier coal combinations and the cause of its decay—the cheapening of transportation and the competition of other coal fields previously less accessible to the London market—are described in considerable detail.

The third part deals with "the modern organisation of English industry on a monopolist basis." The principal facts regarding combinations discussed in this part have already been made familiar by Mr. Macrosty's well-known treatise, but the purpose of Professor Levy's study is rather to analyze the causes, and to classify the results than to describe the existing combinations. In thus attempting to give answers to the main problems of scientific inquiry, he has done work of a suggestive and valuable character. It is not possible to give his conclusions in regard to particular combinations, but his general views on the subject may be gathered from the following excerpt:

"The development of cartels and trusts in English industries is restricted within narrow limits by three facts, the absence of a protective tariff, the comparative insignificance of freights, and the rarity of slowly reproduced mineral products likely to form national or international monopolies." He finds also that, even where monopolistic combinations exist in England, the absence of a protective tariff generally makes it impossible for them to obtain extraordinarily high profits.

Professor Levy in his preface expressly invites corrections, and a few points among a considerable number may be made. With reference to the "Limitations of the Vends," his statement (p. 107) that the prohibitions of the law respecting combinations in 1771 "could not touch private agreement" would seem, at least, to call for some further explanation. The assertion (p. 188) that the minette ore is the most valuable in Germany is incorrect, except in the inadmissible sense that the total deposit is the most valuable. In showing that German pig iron prices sometimes fall below English (p. 191), it is not proper to take English hematite

and German basic Bessemer; either basic or acid Bessemer should be taken in each case, and this would probably affect the conclusions reached. The statement (p. 192) that even in bad times the prices of pig iron in America are higher than in England by the greater part of the freight and duty, is somewhat exaggerated, and quite untrue, of course, for Southern foundry at Birmingham, which in bad times runs close to the Middlesbrough quotations.

Grave misunderstanding, at least, is likely to result from the statement (p. 202) that the "American Paper Trust . . . has monopolised the native forests." Reference is made (p. 288) to the "Copper Trust" in America as entirely controlling the home market, which would not be generally accepted as accurate. The assertion (p. 294) that, in the American tobacco trade, it was "partly the high duties on cigars which made a trust so attractive" is apparently incorrect, inasmuch as the American Tobacco Company never had anything approaching a monopoly in that branch of trade, and little prospect of getting it.

It is not to be expected, of course, that great technical accuracy could be attained where so many industries are considered, and minor faults of the character indicated do not imply that this work is not of great interest and positive value.

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Les Syndicats Industriels de Producteurs en France et a l'Etranger. By PAUL DE ROUSIERS. Second edition. (Paris: Librairie Armand Colin. 1912. Pp. x, 291. 3.50 fr.)

The second edition is substantially similar to the first, which appeared in 1901, except for the addition of a new chapter of some forty-five pages entitled "Les Ententes dans les Transports Maritimes." This chapter is based largely upon the report of the Royal Commission on Shipping Rings, and forms a most valuable addition. Several minor changes and additions may also be noted. For American readers, the principal ones of interest are a brief discussion of the Standard Oil and Tobacco decisions (pp. 27-31), and an added section entitled "La Situation légale des Trusts" (pp. 88-95) in which the "rule of reason" is analyzed. Other new points on American trusts are to be found in a brief consideration of the *Report of the Commissioner of Corporations on the Steel Industry* (pp. 72-78), including a short treatment of